

# Mobility: Immigration alert

July 2021



## Peru

### New, stricter requirements for residence visa applications

#### Executive summary

The Peruvian Government recently implemented new, stricter requirements for obtaining residence visas, including work visas and visas for dependent family members. Notably, residence visa applicants must now submit translated, apostilled criminal record checks with their applications. In addition, dependent spouses of Peruvian citizens and residence visa holders must submit apostilled or legalized marriage certificates that were issued no more than six months prior to the visa application filing date. Moreover, individuals applying for Mercosur visas are now required to submit birth certificates as part of their visa applications.

#### Background

The new, stricter application requirements were introduced in March 2021 and went into effect on 9 July 2021. The new requirements apply to residence visa applications filed on/after that 9 July 2021.

#### Criminal record requirement for residence visas

Effective 9 July 2021, foreigners who apply for residence visas and/or permanent residence visas must submit criminal records proving that they do not have criminal convictions in their country of citizenship. Applicants who resided continuously in a country other than their country of citizenship during the five years immediately preceding the filing of their visa application must provide criminal records issued by the country in which they resided during those five years. If the applicant resided in multiple countries during the five years preceding their application filing date, they are only required to provide criminal

records issued by their country of citizenship (and not all the countries in which they resided). The records must be translated into Spanish and either apostilled or legalized, depending on where the records were issued. Previously, residence visa applicants were not required to submit criminal records with their applications, except for individuals applying for Mercosur visas, who were required to submit them. The requirements remain the same (i.e., criminal records are not required) for individuals applying to obtain temporary visas (i.e., non-residence visas issued for up to six months).

#### New requirements for dependent spouses and children

Effective 9 July 2021, marriage certificates that are submitted in support of residence visa applications for dependent spouses must have been issued no more than six months prior to the application filing date. Previously, applicants could submit documents that were issued up to one year prior to the application filing date. As previously, the supporting documents, if issued outside of Peru, must be translated into Spanish and apostilled or legalized depending on the country where they were issued.

In contrast, the Peruvian Government no longer requires residence visa applications for dependent children to include birth certificates that were issued no more than one year prior to the application filing date. All such applications filed on/after 9 July 2021 may include birth certificates that were issued anytime (i.e., over one year before the filing date). As previously, birth certificates issued outside of Peru must be translated and apostilled or legalized.

### **New requirements for Mercosur visas**

Individuals applying to obtain Peruvian Mercosur visas must now submit original birth certificates (or official copies thereof). Previously, birth certificates were not required in support of Mercosur visa applications. This new requirement applies to the primary applicant, as well as any dependent spouses, partners or children. These documents, if issued outside of Peru, must be apostilled or legalized, depending on where they were issued.

Dependant spouses who apply for Mercosur visas must also submit a marriage certificate issued no more than six months prior to the application filing date. Previously, applicants could submit marriage certificates that were issued up to one year prior to the application filing date. As previously, marriage certificates, if issued outside of Peru, must be apostilled or legalized, depending on where they were issued.

### **Key steps**

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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EYG no. 006262-21Gbl

2101-3682263  
ED None

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